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04 UNITED STATES DISTRICT COURT
05 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

06 UNITED STATES OF AMERICA,)
07 Plaintiff,) Case No. CR 06-317-RSL
08 v.)
09 TUAN MINH LE) SUMMARY REPORT OF U.S.
10 Defendant.) MAGISTRATE JUDGE AS TO
ALLEGED VIOLATIONS
OF SUPERVISED RELEASE

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12 An evidentiary hearing on a petition for violation of supervised release in this case was
13 scheduled before the undersigned Magistrate Judge on January 17, 2008. The United States was
14 represented by Assistant United States Attorney Lawrence R. Lincoln, and the defendant by
15 Timothy R. Lohraff. The proceedings were digitally recorded.

16 The defendant had been charged and convicted of Bank Fraud, in violation of 18 U.S.C.
17 § 656. On or about February 16, 2007, defendant was sentenced by the Honorable Robert S.
18 Lasnik to a term of three (3) years probation.

19 The conditions of supervised release included the requirements that the defendant comply
20 with all local, state, and federal laws, and with the standard conditions. Special conditions
21 imposed included, but were not limited to, participation in a substance-abuse program, financial
22 disclosure, \$10,000 restitution, no gambling, maintain single checking account, no new credit,
23 employment restrictions, and 60 days electronic monitoring.

24 In a Petition for Warrant or Summons dated December 21, 2007, U.S. Probation Officer
25 Brian K. Facklam asserted the following violations by defendant of the conditions of his
26 supervised release:

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- (1) Gambling, in violation of the special condition prohibiting him from gambling.
- (2) Obtaining loans without approval, in violation of the special condition prohibiting him from obtaining loans without approval.
- (3) Failing to attend Gamblers Anonymous meetings as directed, in violation of the special condition requiring him to do so if ordered.
- (4) Failing to pay restitution as directed, in violation of the condition requiring him to pay restitution in monthly installments of not less than 10% of his gross monthly household income.
- (5) Failing to submit monthly reports since the month of August, 2007, in violation of standard condition 2 requiring that he submit monthly reports within the first five days of each month.
- (6) Failing to notify the probation officer at least ten days prior to any change in residence, in violation of standard condition 6 requiring him to do so.

On January 11, 2008, defendant made his initial appearance. The defendant was advised of the allegations and advised of his rights. On January 17, 2008, defendant appeared for an evidentiary hearing on the alleged violations. Defendant admitted to violations 1, 2, 3, 4, 5 and 6.

I therefore recommend that the Court find the defendant to have violated the terms and conditions of his supervised release as alleged in violations 1, 2, 3, 4, 5 and 6, and that the Court conduct a hearing limited to disposition. A disposition hearing has been set before the Honorable Robert S. Lasnik on January 28, 2008, at 9:00 a.m.

Pending a final determination by the Court, the defendant has been detained.

DATED this 17th day of January, 2008.


JAMES P. DONOHUE
United States Magistrate Judge

cc: District Judge: Honorable Robert S. Lasnik
AUSA: Mr. Lawrence R. Lincoln
Defendant's attorney: Mr. Timothy R. Lohraff
Probation officer: Mr. Brian K. Facklam